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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 09 2010

In re application of:
BRYAN et al. § Confirmation No.: 7910
Serial No.: 10/017,611 § Art Unit: 3774
Filed: December 14, 2001 § Examiner: Blanco, Javier
For: Human Spinal Disc Prosthesis with § Attorney Docket No.: PC904.04 (31132.72)
Hinges § Customer No.: 46333

Via Facsimile: 571 273-8300
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO REVIVE AN UNINTENTIONALLY
ABANDONED APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Dear Sirs:

Applicant, by their attorney of record, hereby petitions the Commissioner to revive the above-identified application under the provision of 37 C.F.R. § 1.137(b) on the grounds that the delay in replying to the Final Office Action mailed September 9, 2009, was unintentional.

According to PAIR, a formal Notice of Abandonment was mailed on April 8, 2010, but Applicants have not yet received the Notice. However, Applicants wish to revive the case immediately. The entire time period of delay in responding to the Final Office Action in this application was unintentional.

Applicants are submitting herewith a Response to the Final Office Action and a Request for Continued Examination (RCE).

The Commissioner is hereby authorized to charge \$1,620.00 to the Deposit Account of Haynes and Boone, LLP No. 08-1394 for the petition fee required by 37 CFR 1.17(m) to revive an unintentionally abandoned application. Further, the Commissioner is authorized to charge any deficiency or credit any overpayment of fees associated with this communication to said Deposit Account No. 08-1394.

Respectfully submitted,

Gregory P. Webb
Registration No. 59,859

Date: 4-9-10
HAYNES AND BOONE, LLP
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R-249841_1.DOC

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office Via Facsimile at: 571 273-8300 on April 9, 2010.

Gayle Conner

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